

VZCZCXRO9243
RR RUEHMR
DE RUEHKI #0897/01 1571139
ZNY CCCCC ZZH
R 061139Z JUN 06
FM AMEMBASSY KINSHASA
TO RUEHC/SECSTATE WASHDC 4058
INFO RUEHXR/RWANDA COLLECTIVE
RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY
RUEAIIA/CIA WASHDC
RHEFDIA/DIA WASHDC
RUFOADA/JAC MOLESWORTH RAF MOLESWORTH UK
RHMFISS/HQ USEUCOM VAIHINGEN GE

C O N F I D E N T I A L SECTION 01 OF 04 KINSHASA 000897

SIPDIS

SIPDIS

E.O. 12958: DECL: 06/06/2016
TAGS: [PGOV](#) [PREL](#) [KDEM](#) [KPKO](#) [GC](#) [ELECTIONS](#)
SUBJECT: DRC'S ELECTION CALENDAR: LONG-TERM VIEW

Classified By: Ambassador Roger Meece. Reason: 1.4 (b/d)

¶1. (C) Summary: While there are still many hurdles to clear to ensure a successful July 30 first-round election as scheduled, the Independent Election Commission (CEI) and the International Committee to Accompany the Transition (CIAT) have initiated detailed planning for the second round, and the corresponding successful completion of the DRC's long-running Transition. The picture is somewhat discouraging, with a relatively optimistic scenario featuring an October 15 second-round election date, and a possible new President and government taking office by the end of November or December. The CEI and CIAT members are trying to find ways to shorten this timetable, but requirements of the election law and practical realities of the DRC render this difficult. The CEI will not announce a second round timetable until it is confident the timeline is as short as possible, and that the schedule can be maintained. Increased fiscal pressures and inadequate budget revenues will compound problems in coming months. The bottom line is an extended period of uncertainty and weak government, and increased pressure from domestic critics, all contributing to a particularly vulnerable period. It will be important for the international community to offer strong assurances of support, and hopefully solidarity in coming months (see para 8), to help realize a successful end to the DRC transition and installation of a democratically elected government. End summary.

Campaigning, Counting, Contesting and the Calendar

¶2. (SBU) Nobody in the DRC is yet taking the announced July 30 first-round election target for granted. Various opposition politicians have already announced positions opposing any continuation of the existing Transition institutions beyond June 30 and threatening demonstrations and disruptions. Major logistical and organizational hurdles remain as well to be overcome for a successful July 30 election exercise. Nonetheless, preparations are proceeding, including distribution of polling place "kits," the printing of ballots - with an expected 1,800 tons of printed ballots expected to be delivered to holding points in the DRC by the end of this month - and preparation of final voter registration lists. In recent weeks, members of the Independent Election Commission (CEI) and the 16 member International Committee to Accompany the Transition (CIAT) have been looking at requirements to complete the election process, and thus the DRC's Transition. Specifically, both groups have been studying what is needed for the planned second election round and full completion of the Transition. The second round election will include a potential presidential run-off if no candidate gains an absolute

majority in the first round, and elections for provincial legislatures who will in turn select national Senators and provincial governors.

¶3. (C) Initial discussions involving CEI President Malu Malu and the CIAT have not encouraged hopes for a short, tidy process. For example, given logistics difficulties and legal requirements, current CEI planning indicates that all 64 regional compilation centers across the DRC may not be able to compute and verify provisional election results for Congo's 169 voting districts before August 20, with official results verified and announced by the CEI in Kinshasa by September 2. Legally required periods to contest these results would result in final official results of the presidential race published on September 14. A thirty-day campaign would then result in a second round election around October 15. This assumes that work already underway to prepare candidate lists and ballots for provincial elections will also be completed by that time.

¶4. (C) Similar calculations for an October 15 second round, including compilation, transmission of ballots and provisional results to the compilation centers, final verification in Kinshasa, and required resolution of inevitable legal challenges would bring a final definitive announcement of the presidential winner around the end of November. At best, this would likely result in a new government being formed and taking office before the end of the calendar year. The possibilities for further delays in the complicated process are clear, potentially pushing dates back further. Happily, none of these internal discussions have yet found their way into the local press or public debate. CEI President Malu Malu has assured CIAT members that he has no intention of announcing a timetable for a

KINSHASA 00000897 002 OF 004

second round until work to identify the required time has been completed, and the CEI has full confidence that the announced target date can be met.

And the Consequences

¶5. (C) The scenario outlined above poses many obvious risks. The already barely functional Transition government will increasingly lose its authority, as well as its already limited ability to function as the country progresses through the campaign and election cycle. The prospect of a very lame duck and weak government limping through months of electoral ambiguity is not comforting. Worse still, the March 31 suspension of the IMF's formal program with the DRC implies major and growing financial pressures on the GDRC's relatively small budget, further hobbling Kinshasa's ability to manage its policies and programs. Given the elimination of budgetary support from various sources associated with the IMF program suspension, an IMF mission last week calculated that the GDRC will have available about USD 68 million per month in revenues. Roughly half of that is needed for salaries, and another USD 10 million for debt service (if paid) and other legal recurring obligations, leaving around USD 23 million for everything else - clearly insufficient for a normal range of government operations. Various spoilers, including the opposition UDPS party and those who see themselves as election losers, are also likely to choose to step up anti-government activities during the time of greatest government weakness. Overall, stability of the Kinshasa government will be under substantial threat over a period of several months until a new government is named and begins to function.

Questions Over Succession

¶6. (C) A final element of uncertainty of this final Transition period is the how and when of the move from Transition government to post-election government. The new

DRC Constitution specifies, for example, that the future Prime Minister should be named from the "parliamentary majority" following consultations between the President and the Parliament. It is unclear, however, if this refers uniquely to the National Assembly, expected to be elected in the July 30 first round, or both the Senate and National Assembly. Future Senators are to be chosen by provincial legislatures, themselves elected in the second round, pushing likely formation of a Senate well into 2007. CEI President Malu Malu recently told the CIAT that he believes that only a National Assembly majority is relevant to the choice of Prime Minister, and a number of legal experts argue that other constitutional references, precedents set in France (which also uses a mixed Presidential/parliamentary system), and relevant laws support this position. In practical terms, it will be important for the "National Assembly only" view to prevail, at least for the first post-election government, to avoid an even longer and likely untenable period of uncertainty before a new government is formed. There is not yet, however, a consensus view in Kinshasa on this question.

17. (C) Given the obvious weakness of the Transition government and the increasingly clear period of uncertainty, others are beginning to debate the merits of interim structures. For example, one idea is the formation of some kind of caretaker government to oversee daily operations until a post-election government is formed. Such ideas are, however, impractical and even potentially dangerous. Many Congolese politicians view such an idea as a great opportunity to reposition themselves and/or get access to the trough. Negotiations among the DRC political class to form yet another interim government could drag on forever. Related, a number of parties, led by the UDPS but including some with the government as well, have been calling for a new "dialogue" to chart the future, a pretext for at least some to attempt to reset the entire electoral process. Not surprisingly, President Kabila and his PPRD party strongly oppose such a proposal as an unacceptable risk to further delays in the election process and completion of the Transition. Should talk of new negotiations gain traction, the risk to the election timetable is clear.

What We Can Do

18. (C) Given the factors described above, there is no magic answer to assure safe and successful Congolese passage

KINSHASA 00000897 003 OF 004

through the period of uncertainty ahead and successful installation of a democratically elected government. The success of this process, however, is of great importance for the country and general regional stability. There are a number of steps which can be taken to help get through this difficult period.

a) Strong and hopefully unified international community support to the process will be critical. It will be important for all major international players to offer repeated and strong public messages of support to the CEI and the general Transition process to reassure the Congolese public, and keep political leaders on notice that actions will not be tolerated which threaten the timely and successful completion of the Transition. The CIAT will be maintained as an institution until an elected President is sworn in, and it represents one vehicle for such messages. Bilateral messages or senior-level visits from key governments, the Security Council and MONUC, the European Commission and other interested parties will also be important. The principal and overriding messages must be to focus on the progress of the election process, underscore the importance of the established calendar, and reiterate the determination of the international community to support the Congolese people to see this process through to successful completion. Such international solidarity and support has been critical to the achievement of peace agreements and

generally helping shepherd the Transition to its current point. It will be even more important during this final phase.

b) The CIAT, the Elections Steering Committee, and technical working groups must continue to identify all possible measures to compress the election calendar as much as possible. The CEI retains final authority for setting the election calendar and is well aware of the need to keep the election period as short as possible, but all potential viable measures to reduce the required time should be explored. One item already identified, for example, is to reduce the planned 30 day second-round campaign period to 15 days.

c) MONUC's mandate is scheduled to expire September 30. While most if not all observers recognize the need to extend MONUC's operations, hopefully the Security Council debate and decisions accompanying a presumed extension resolution will provide further reassurances of international community will to see the DRC's Transition through to timely and successful completion.

d) We should encourage other institutions and governments to avoid overloading the agenda. The list of critical needs in the DRC is huge, but the government during this remaining Transition period will have a very limited ability to deal with problems. We should avoid levying too many demands in coming months, focusing only on elections, critically important security sector issues, key humanitarian crises, and general fiscal discipline sufficient to ensure essential needs are addressed.

e) We should identify anything we can do to mitigate the fiscal pressures that will increasingly be felt in the DRC as a result of the IMF formal program suspension, and the resultant cut-off of budgetary support from a variety of sources. The fact is there will be insufficient GDRC budget revenues for many government operations under any realistic scenario. We must not only insist on strict GDRC budget discipline, but as well seek to assist to moderate the negative impact on Congolese of program and service cuts, and encourage other governments and institutions to do likewise.

f) We should also ensure that potential regional tensions are kept in check. Relations in recent months between the DRC and Rwanda have improved, although those with Uganda have deteriorated. Whatever the specifics of regional relations among these key players, as well as with Burundi, Congo-Brazzaville, and other countries in the region, it will be important that regional tensions or actions do not exacerbate destabilization pressures inside the DRC during the fragile period leading to establishment of the post-election government.

Final Comment: Hope and Fear

19. (C) The Congolese and their international partners, certainly including the U.S., have traversed a long, painful,

KINSHASA 00000897 004 OF 004

and often circuitous path to bring an end to years of conflict and offer the prospect of a democratically-elected government for the first time to the Congolese people. The country is now closer to legitimate and credible elections than at any point since independence over 40 years ago, with the first round elections now less than two months away. Fundamental changes are taking place in the country, and there are now grounds for more hope and optimism for a positive future than has been the case for decades - possibly ever. With the opportunity are also grave risks, however, and the next few months represent a particularly difficult and vulnerable period.

MEECE